

**Kansas Department of Health and Environment
Board of Adult Care Home Administrators
Meeting of September 7, 2007**

The Board of Adult Care Home Administrators met Friday, September 7, 2007 at 1:00 p.m. in Classroom D of the Kansas National Education Association Building, 715 SW 10th, Topeka, Kansas.

Members Present

William Boldridge
Dawn Veh
Kevin Bryant
Jinna Jeffery
Wanda Bonnel

Staff Present

Camille Nohe
Marla Rhoden
Steve Irwin
Brenda Kroll

Others Present

Kim Halbert, KACE
Marla Nispel, KACE
Phyllis Kelly, KACE
Doug Frihart, ACHCA
Pam Sheets, KACE
K. J. Langlais, KACE
Brandie Johnson, KDHE
Mary Flin, KDHE

1. Call Meeting to Order

Marla Rhoden called the meeting of the Board of Adult Care Home Administrators to order at 1:02 p.m.

2. Elect Chair

Ms. Rhoden called for nominations for the position of Board Chair.

ACTION: Kevin Bryant nominated Dawn Veh to serve as Chair of the Board of Adult Care Home Administrators. The nomination was seconded by Wanda Bonnel and carried unanimously.

3. Minutes

Minutes of Meeting 06/08/2007

Chair Veh asked for comments/corrections to the minutes of the June 8, 2007 meeting.

ACTION: Dr. Bryant moved the minutes of the 06/08/07 meeting of the Board of Adult Care Home Administrators be approved as submitted. The motion was seconded by Jinna Jeffery and carried unanimously.

4. Complaints

Ms. Jeffery reported that there were no new cases but the CIC reviewed one old complaint and will add discussion on Agenda Item 7 at this meeting.

5. Reports

A. NAB Test Results

Brenda Kroll provided copies and an overview of the NAB test results report for the second quarter of 2007. She reported that a total of eight candidates tested with four of those passing for a pass rate of 50.00% for the second quarter.

Ms. Kroll noted that there were 12 total candidates who passed the NAB exam in the first two quarters of 2007. All 12 passed on their first attempt.

B. Temporary License Report

Ms. Kroll provided a final report and overview of temporary licenses issued for the fiscal year 2007 which began July 1, 2006 and ended June 30, 2007. Ms. Kroll noted that a total of 27 individuals were issued temporary licenses. Of the 18 temporary licenses which have expired, nine were issued while the candidates completed their practicum experiences, five were issued for individuals serving as an interim administrator, three were issued to licensees who were accumulating CE hours required to reinstate previous Kansas licensure and one was issued while the candidate prepared to take the NAB exam. Of the nine active licenses, five were completing their AIT experiences, one was preparing to take the NAB exam and three will seek reinstatement after accumulation of the required CE hours.

6. Update

A. NAB Domains of Practice

Chair Veh reported that the final approval for the NAB Domains of Practice will be made in November, 2007 after which time they can be referenced in the proposed regulations. The regulation approval process can then move forward.

B. SB 351 (Office of Administrative Appeals)

Ms. Rhoden noted that SB 351 would remove the hearing process from boards and require all hearings go to another party. Because boards would have no part in the hearing process, a group of interested parties prepared testimony in opposition of SB 351. The Board of Adult Care Home Administrators was included as an interested party as approved by Chair Veh.

The Special Committee on Judiciary met August 28, 2007 to discuss SB 351. Ms. Rhoden has not yet received a report of the outcome.

7. License Candidates

A. Applicant for Reinstatement of Suspended Kansas License

Ms. Kroll summarized the application materials for reinstatement from an individual whose license had been suspended for one year. The suspension has expired. Ms. Jeffery reported that the CIC discussed the application at their 11:00 a.m. meeting and are proposing that the license be reinstated with certain conditions. Ms. Jeffery listed the following list of possible conditions for Board consideration:

Precondition for Reinstatement -

- 1) Applicant furnish evidence of restitution of funds to the facility who made restitution to the resident.

Subsequent to reinstatement -

- 2) The applicant's name shall not be included on the account or bank signature card for any Residents Trust Fund.
- 3) A second signature (co-signer) shall be required for all facility checks.
- 4) The applicant shall complete two hours of continuing education on the topic of ethics within 180 days of reinstatement.
- 5) The applicant be bonded in an amount determined by the Board.

Board discussion followed including discussion about the length of time conditions would apply and what would constitute verification of restitution. The consensus was that item 5 requiring the applicant be bonded would not be required.

ACTION: Ms. Jeffery moved that the Board of Adult Care Home Administrators approve reinstatement of license after 1) the applicant furnishes evidence of restitution of funds to the facility and with the requirement that the applicant adhere to the following conditions once licensure has been reinstated: 2) Applicant's name shall not be included on the account or bank signature card for any Resident Trust Fund; 3) A second signature (co-signer) shall be required for all facility checks; 4) The applicant shall complete two hours of continuing education on the topic of ethics within 180 days of reinstatement. The license would be issued through 06/30/2009 and be renewed upon evidence of items 1, 2, 3 and 4. Dr. Bryant seconded the motion which carried unanimously.

Ms. Rhoden will draft a letter outlining the reinstatement conditions for review by Chair Veh. Once approved by Chair Veh, the letter will be forwarded to the applicant.

B. Applicant with Alternate Form of Verification of AIT Completion

Ms. Kroll provided materials for review and summarized the situation explaining that a license applicant began their AIT program with a coordinating school in 2005 and completed the training in 2007. The school provided the official Notice of Training form in December, 2004. During the time the applicant was training the school discontinued their AIT program. While the school has verified enrollment in the program they cannot yet find records necessary to provide verification of completion of the AIT program. The preceptor has provided a signed document entitled "Certification of Internship Completion" outlining the categories of training which were completed. The Board was asked for guidance about whether, in this case, the combination of the "official Notice of Training" from the school along with the certification of internship completion would be adequate to verify meeting the training described in K.A.R. 28-38-19.

The Board advised the applicant continue working with the school to verify the completion of the AIT program for a period of 30 days. If, after 30 days, the applicant has not been able to acquire "official" verification, the Board will meet via conference call to discuss.

C. Applicant for Temporary License with Self-Reported Conviction

Ms. Kroll provided materials and summarized the situation noting that an AIT who is applying for temporary licensure self-reported a previous D.U.I conviction. The applicant provided a letter of explanation to the Board along with evidence of meeting education requirements imposed. Ms. Kroll noted that the applicant is completing the State test and that the facility has been advised that a letter explaining/supporting the need for the temporary license would also be required before a temporary license could be considered.

ACTION: Dr. Bryant moved that the application for temporary licensure be approved once the applicant has passed the State test and the letter from the facility explaining the need for the temporary license has been received. The motion was seconded by Wanda Bonnel and carried unanimously.

8. License Renewals - 06/30/2007

Ms. Kroll provided copies of the renewal status report for June 30, 2007 noting that notices were mailed to the 355 individuals with licenses expiring June 30, 2007. A total of 291 renewals were issued as of August 31, 2007. Ms. Kroll reported that there are three renewals pending audits but anticipates the audits will be successfully completed.

After Board discussion it was decided that a group will be assembled to study the issues relating to the declining overall number of active Kansas adult care home administrators. The Kansas Adult Care Executives (KACE) will lead the project including representatives from the Kansas Department on Aging (KDOA), Kansas Association of Homes and Services for the Aging (KAHSA) and Kansas Health Care Association (KHCA). The group will meet prior to the December 7, 2007 Board meeting at which time Chair Veh will provide a report from the group.

9. NAB Model Board Orientation Manual

Ms. Rhoden summarized the information received from the National Association of Boards of Examiners of Long Term Care Administrators (NAB) noting that NAB plans to finalize a model board orientation manual at their mid-year meeting in November, 2007. Ms. Rhoden asked if members may be interested in the manual or feel that any portions may be helpful in orienting new BACHA members.

Discussion included the differences in statutes from state to state concerning boards. It was also noted that BACHA members currently receive a Board Orientation Manual upon appointment which serves as a reference and that an additional manual may be overwhelming.

10. Letters of Exemplary Performance and Zero Deficiency Letters

Ms. Rhoden read excerpts from a Letter of Exemplary Performance awarded to Frances Paxton, Administrator of Salina Presbyterian Manor, Salina. Ms. Rhoden also read excerpts from a Zero Deficiency letter awarded to Kristi Kuck, Administrator of Phillips County

Retirement Center, Phillipsburg.

After Board discussion Chair Veh asked staff to inquire with the Kansas Department on Aging to see if demographic information is available concerning the letters of exemplary performance and zero deficiency letters.

11. Other Business

◆Ms. Rhoden provided an overview of the **request from Brewster Place Retirement Community, Topeka for consideration as an appropriate provider of a long-term care administration practicum course**. The request for providing training and supervision along with an application from Linda Farrar, Brewster Place Vice President and Health Services Administrator to serve as preceptor was submitted via email. Ms. Rhoden noted she had forwarded the email to members for their review and consideration. The materials included the Suggested Curriculum with some additional topics to be included in the training. The cover letter noted that per K.A.R. 28-38-19(2) “*Each candidate shall have successfully completed a long-term care administration practicum that is conducted by an accredited college or university, or an equivalent program, as an academic training program. . . .*” The letter further noted “Brewster Place is a licensed, certified long-term care provider, an appropriate setting for providing the supervision and training for long-term care administrator training, and as such, is an appropriate ‘equivalent program’.”

Ms. Rhoden noted that the regulation revisions which are pending adoption of the Domains of Practice include language in K.A.R. 28-38-19(2) replacing “ . . . ~~equivalent program, as an academic training program~~ with equivalent educational training practicum . . . “

Board discussion included the program is not an academic program and would be the first non-academic based program; the coordinator would also be the preceptor which has not been common practice; all components of the Suggested Curriculum were included (along with some extra items); the hours of training were included in the material and the preceptor application has been approved. Ms. Rhoden reported that she asked if the facility program may be open to other applicants. Ms. Farrar indicated that it would be open to other candidates, with the training at Brewster Place.

Camille Nohe noted that the title of the form submitted - *Application for Approval of the Long Term Care Administration Practicum Curriculum* should be changed as the Board doesn’t actually ‘approve’ the program. The regulations describe the components which should be included in a program.

ACTION: Dr. Bryant moved that the Board accept the AIT program to be administered by Brewster Place, Topeka. The motion was seconded by William Boldridge and carried unanimously.

♦Chair Veh reported that at the recent KACE convention several newly licensed administrators indicated they felt the process was cumbersome and could be improved.

It was decided that a **group** including newly licensed administrators be put together **to review the process** and make a list of things to improve. Chair Veh suggested the group meet with KDHE staff and Board members to gather input.

♦Chair Veh noted that when administrators attend some **CE sessions** each session record must be punched or initialed while other professionals attending the same sessions are not required to have session records punched/initialed.

Board discussion on continuing education followed including noting that punching/initialed requirements vs. certification of attendance may depend on the CE provider and that for random audit purposes it may be a way to obtain verification from the CE provider for attendance at the program.

12. Public Comment

Pam Sheets with KACE offered congratulations to Dawn Veh on her appointment as Chair of the Board and thanked all members for their hard work on the Board.

Ms. Sheets expressed concern about the conditions for reinstatement of licensure in Item 7A.

Marla Nispel with KACE noted concerns with the declining number of licensed administrators which was discussed in Item 8.

K. J. Langlais with KACE expressed concerns about the process for AITs.

13. Next Meeting

The next meeting of the Board of Adult Care Home Administrators is scheduled for December 7, 2007.

Ms. Nohe asked if the meeting time could be changed to a later time. It was the consensus of the Board that both the CIC and BACHA meetings would be moved back 30 minutes. The CIC meeting will be scheduled for 11:30 a.m with the BACHA meeting to follow at 1:30 p.m.

Adjourn

ACTION: Ms. Jeffery moved that the meeting be adjourned. The motion was seconded by Dr. Bryant and carried unanimously.

The meeting adjourned at 2:36 p.m.